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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/439,890	11/12/1999	TAKESHI SUZUKI	P/3541-3	2252
7590	05/17/2005		EXAMINER	
OSTROLENK FABER GERB & SOFFEN LLP 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			CHUNG, DANIEL J	
			ART UNIT	PAPER NUMBER
			2672	

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<i>JK</i> Office Action Summary	Application No.	Applicant(s)
	09/439,890	SUZUKI, TAKESHI
	Examiner	Art Unit
	Daniel J Chung	2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 April 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 12-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 12-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

Claims 12-15 are presented for examination. This office action is in response to the response filed on 4-18-2005.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Tagami et al. (5,402,171)

Regarding claim 12, Tagami et al discloses that the claimed feature of an electronic camera [i.e. "camera"; 50] comprising: a recording medium [i.e. "memory card"; 51] removable from the camera, in which a plurality of image data are recorded (See Fig 49, Fig 72); a display panel [i.e. "LCD panel on the camera body"] configured to display image data selected from the recording medium (See col 27 line 41); an image discrimination circuit [i.e. "the reproducing section"] configured to judge whether the image data represents a panoramic image ["panorama image"] or not ["ordinary image"] (See col 27 line 8-13; "At the time of reading data from the memory card, the reproducing section of the electronic camera reads image control data from the memory

card which indicates whether the image data is an ordinary image or a panorama image"), based on an aspect ratio of the image data selected from the recording medium (See Fig 60; $Nh \times Nv$ for ordinary image, $Nb \times Nv$ for panorama image); a display mode setting circuit configured to set a display mode [i.e. "normal imaging mode", "panorama mode"] based on the result of discrimination by the image discrimination circuit (See col 27 line 3-6), and a display circuit configured to cause the selected image data [i.e. "the reproduced image"] to be displayed on the display panel according to the display mode set in the display mode setting circuit, wherein when the selected image data is judged as representing a panoramic image ["panorama image"] by the image discrimination circuit ["the reproducing section"], the display mode setting circuit sets a panoramic display mode [i.e. "panorama mode"] (See col 27 line 3-16), and scrolls and displays [See images in Fig 62, Fig 63] on the display panel the selected panoramic image by [See image in Fig 61] controlling the display circuit, in accordance with an operation of an frame advance button [i.e. 53] (See Fig 61-63)

Regarding claim 13, Tagami et al discloses that the display circuit has a circuit configured to perform a superimposed display to show which portion of a panoramic image is displayed in the display panel, when the panoramic display mode is set. (See Fig 50, Fig 60, Fig 68)

Regarding claim 14, claim 14 is similar in scope to the claim 12, and thus the rejection to claim 12 hereinabove is also applicable to claim 14.

Regarding claim 15, claim 15 is similar in scope to the claim 13, and thus the rejection to claim 13 hereinabove is also applicable to claim 15.

Response to Arguments

In response to the applicant's argument (See Remarks p. 6) that the cited references do not discloses "an aspect ratio of image data is used to determine whether the image data represents a panoramic image", Tagami et al clearly discloses that the type of image data (either "ordinary image" or "panorama image") is indicated by the reproducing section of camera (See col 27 line 8-13), where pixels used for panorama image have different aspect ratio than pixels used for ordinary image (See Fig 60). Furthermore, it was commonly well-known in the art that the panoramic image is the series of normal/ordinary image representing an wider or continuous scene, therefore utilizing of aspect ratio of image data is necessarily required to distinguish image data between the normal and panoramic image. Also, Tagami et al clearly discloses that setting a panoramic display mode ["panorama mode"], and controlling [i.e. "scrolling"] the display circuit with an operation of a frame-advance button [53], (See the rejection hereinabove) as oppose to applicant's argument in Remark p.6.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (571) 272-7657. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by

telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (571) 272-7664.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

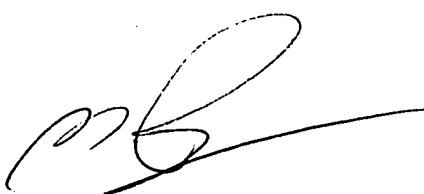
or faxed to:

(703) 872-9306 (Central fax)
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc
May 2, 2005



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600